

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH PAGAN, individually and on behalf of :
all others similarly-situated, :
Plaintiff, :

v. :

ALVIN AND FRIENDS, LCC, ALVIN :
CLAYTON, and GWEN CLAYTON, :
Defendants. :

ORDER

22 CV 1589 (VB)

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Plaintiff commenced the instant action on February 25, 2022.

On April 8, 2022, plaintiff docketed affidavits of service indicating service on Alvin and Friends, LLC, on March 16, 2022, and Alvin Clayton and Gwen Clayton on March 17, 2022. (Docs. ##5-7). Accordingly, defendants had until April 6 and April 7, 2022, respectively, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

To date, defendants have not answered, moved, or otherwise responded to the complaint.

Accordingly, provided that defendants remain in default, plaintiff is ORDERED to seek a certificate of default by **April 18, 2022**, and thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendants by **May 2, 2022**. **If plaintiff fails to satisfy either deadline, the Court may dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).**

Dated: April 11, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge